

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY PHNOM PENH

C O N F I D E N T I A L STATE 097777

EXDIS

E.O. 11652:GDS

TAGS: MILI, CB, PFOR, MOPS

SUBJECT: ICRC VISITS TO POW'S IN CAMBODIA

REF : PHNOM PENH 6468

1. WE FULLY ENDORSE YOUR RAISING WITH PRIME MINISTER QUESTION OF ICRC VISITS TO POW'S. WE HAVE LONG BEEN CONCERNED AT GKR'S RELUCTANCE TO AGREE TO SUCH VISITS, WHICH AS YOU KNOW TOOK PLACE VIRTUALLY WITHOUT RESTRICTIONS FOR POW'S CAPTURED BY US/GVN FORCES IN SOUTH VIETNAM.

2. IF PM REMAINS RELUCTANT TO INTERVENE WITH THE MILITARY ON THIS SUBJECT, SUGGEST YOU CONSIDER APPROACHING APPROPRIATE MILITARY OFFICIALS YOURSELF, EITHER PERSONALLY OR THROUGH YOUR MILITARY AIDES. IN ADDITION TO POINTS YOU MADE PER REFTEL, YOU COULD DRAW ON FOLLOWING:

(A) GKR IS OBLIGATED BY THIRD GENEVA CONVENTION OF 1949 TO ALLOW VISITS TO ENEMY POW'S BY A PROTECTING POWER OR BY
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THE ICRC OR ANOTHER IMPARTIAL ORGANIZATION. ICRC IS WIDELY

RECOGNIZED AND ACCEPTED AS THE APPROPRIATE ORGANIZATION FOR THIS PURPOSE. IN THE PERIOD 1966-72, THE ICRC CONDUCTED 475 SEPARATE INSPECTIONS OF GVN POW FACILITIES IN SOUTH VIETNAM.

(B) NORTH VIETNAM AND ITS AFFILIATED ORGANIZATIONS CONSISTENTLY REBUFFED ICRC'S EFFORTS TO VISIT POW'S THEY HELD, FOR WHICH COMMUNIST SIDE WAS REPEATEDLY AND JUSTIFIABLY CRITICIZED. UN GENERAL ASSEMBLY ADOPTED RESOLUTION ON THIS SUBJECT IN 1970, AS DID INTERNATIONAL CONFERENCE OF THE RED CROSS IN 1969.

(C) ICRC'S REPORTS ON ITS VISITS TO POW'S IN CAMBODIA WOULD BE GIVEN ONLY TO GKR, AND WOULD ENABLE GKR TO CORRECT ANY DEFICIENCIES THAT MAY BE NOTED. ICRC HAS SHOWN ITSELF TO BE OBJECTIVE, RESPONSIBLE AND DISCREET IN POW INSPECTIONS. IN PARTICULAR, ICRC REFRAINS TOTALLY FROM COMMENTING ON REASONS FOR, OR JUSTNESS OF, THE DETENTION OF THE POW'S, OR THE CAUSE FOR WHICH THEY WERE FIGHTING.

(D) ICRC VISITS SHOULD TAKE PLACE WHILE POW'S ARE IN PHNOM PENH AREA, AND REGULARLY AT KOH KONG AFTER POW CAMP THERE IS IN OPERATION. DURING VISITS ICRC DELEGATES SHOULD BE ALLOWED TO INTERVIEW POW'S OF THEIR CHOICE PRIVATELY, WITHOUT WITNESSES. ICRC WILL PRESUMABLY BRING ITS OWN INTERPRETER.

3. PM'S REFERENCE TO "ICRC" HUMANITARIAN AID GOING TO GRUNK IS IRRELEVANT TO QUESTION OF POW INSPECTIONS. INTERNATIONAL RED CROSS RELIEF PROGRAM IN CAMBODIA IS CARRIED OUT BY IOG, COMPOSED OF LEAGUE OF RED CROSS SOCIETIES AND VARIOUS NATIONAL RC SOCIETIES, AS WELL AS ICRC. MAJOR SHARE OF IOG FUNDS AND PROGRAMS HAS BENEFITED GKR, WITH LESSER AMOUNTS TO RVN AND LAOS. IOG HAS SENT LIMITED AMOUNT OF PREFAB HOUSING TO DRV (DONATED BY SWEDISH RED CROSS) AND IS INVOLVED IN MODEST PROGRAM FOR PRG (BEING SHIPPED THROUGH HAIPHONG). AS FAR AS WE KNOW, IOG HAS PROVIDED NO ASSISTANCE WHATSOEVER TO GRUNK OR AREAS UNDER ITS CONTROL. UNDER THESE CIRCUMSTANCES, IT IS MOST INAPPROPRIATE FOR GKR TO CITE THIS FACTOR AS REASON TO

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REJECT ICRC IN ITS TRADITIONAL ROLE UNDER GENEVA CONVENTION OF VISITING POW'S, AND WE HOPE GKR WILL CHANGE ITS POLICY ON THIS SOON. THERE IS MUCH FOR THEM TO GAIN IF THEY DO AND RISK OF SERIOUS LOSS (IN TERMS OF INTERNATIONAL CRITICISM) IF THEY DON'T.
RUSH

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